

REMARKS

Claims 30-34, 36-44, 47-52 and 54-27 are pending in the present application. These claims have been subjected to a Unity of Invention Requirement as follows:

Group I -- claims 30 and 36-43 (should also include claims 48-50 which depend on claim 30) directed to a method of reducing a vitamin D compound of formula III;

Group II -- claims 31 directed to a method of producing calcipotriol;

Group III -- claim 32 directed to a method of producing calcipotriol or calcipotriol monohydrate which is different in steps from claim 31;

Group IV -- claim 33 directed to a method for producing calcipotriol or calcipotriol monohydrate which is different steps from the above cited claims.

Group V -- claim 34 directed to a method for producing calcipotriol or calcipotriol monohydrate which is different steps from the above cited claims;

Group VI -- claim 44 directed to a method for producing a vitamin D compound of formula III.

Group VII -- claim 47-51 (should be claims 47 and 51) directed to a method of reacting mixture of compounds of formula IVa and IVb and producing calcipotriol or calcipotriol monohydrate; and

Group VIII -- claims 54-57 directed to vitamin D compounds of formula IIIa and IIIb, IIIaa, IVab, IVba, IVbb, IVb or mixtures thereof.

Applicant elects, with traverse, Group I, Claims 30, 36-43 and 48-50, all drawn to a method of reducing a compound of general structure III to give a mixture of compounds of general structure IVa and IVb.

The above Requirement is respectfully traversed. Applicant disagrees with the Examiner that the subject-matter of the claims of this application is not so linked as to form a single general inventive concept under PCT Rule 13.1. According to PCT Rule 13.2 "[w]here a group of inventions is claimed in one and the same international application, the requirement of unity of invention referred to in Rule 13.1 shall be fulfilled only when there is a technical relationship among those inventions involving one or more of the same or corresponding special technical features. The expression "special technical features" shall mean those technical features that define a contribution

which each of the claimed inventions, considered as a whole, makes over the prior art. The technical problem solved by the present invention is the provision of a diastereoselective method for the preparation of compounds of formula IVa. As recognized by the EPO in its capacity as International Preliminary Examining Authority during the international stage of this application, the "special technical feature" linking together the group of inventions claimed is the SO₂ adduct of the steroid compounds of the formulas III and IV, their use, and their preparation. Therefore, it is requested that the Requirement be withdrawn and that all claims be examined.

If any questions arise in the above matters, please contact Applicant's representative, Andrew D. Meikle (Reg. No. 32,868), in the Washington Metropolitan Area at the phone number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: November 6, 2009

Respectfully submitted,

By 

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